

Erin Murphy, Deputy County Attorney
Gallatin County Attorney's Office
1709 West College Street
Bozeman, Montana 59715
Telephone (406) 582-3745

GALLATIN COUNTY CLERK
OF DISTRICT COURT
JENNIFER BRANDON

2011 MAY 19 PM 3 43

FILED

MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT, ~~GALLATIN COUNTY~~
DEPUTY

* * * * *

STATE OF MONTANA,)	Case No.: DC-11-10713
)	
Plaintiff,)	AFFIDAVIT OF PROBABLE CAUSE,
)	AND MOTION FOR LEAVE TO FILE
vs.)	<u>INFORMATION</u>
)	
CHRISTINA LYNN GILES,)	
)	
Defendant.)	

COMES NOW, the State of Montana by Erin R. Murphy, Deputy Gallatin County Attorney, and being first duly sworn upon oath, deposes and says as follows:

1. Your affiant is a Deputy Gallatin County Attorney, and by law one of the attorneys to prosecute criminal matters in the State of Montana. Pursuant to a report of investigation compiled by Detective Jim Veltkamp of the Bozeman Police Department-Missouri River Drug Task Force (MRDTF), your affiant is aware of the following information.

2. On or about January 7, 2011, Detective Veltkamp met with MRDTF CI 100908 (herein after "CI") to conduct a controlled purchase of Vicodin from Christina Lynn Giles, the Defendant herein. Prior to the transaction, Detective Veltkamp applied for

a received a search warrant from Judge Holly Brown, authorizing the use of a body-wire transmitter to record and monitor the controlled purchase. As of January 7, 2011, the CI had conducted six prior controlled purchases for MRDTF and also arranged the introduction of an undercover agent to two different subjects, from which eight more controlled purchases were made. The CI had made arrangements with the Defendant to purchase pills on January 7, 2011, had previously identified the Defendant from an MRDTF photo and had reported to law enforcement in August of 2010 that the Defendant was engaged in selling pills in West Yellowstone, Montana.

3. Prior to the transaction, the CI met with Detective Veltkamp and ICE SA Rod Noe and a search and pre-buy interview were conducted. The CI was fitted with a body-wire transmitter and provided with fund to purchase the pills. The CI was then monitored traveling to 310 A Kennedy Street, Belgrade, Gallatin County, Montana, where the transaction was to occur. Upon arriving at that location, Detective Veltkamp noted that Heck Elementary School was located right across the street, within 1,000 feet and that school was in session.

4. The Defendant was observed exiting the residence and making contact with the CI. The CI and the Defendant were heard laughing and exchanging the pills. The Defendant assured the CI that there were 30 pills and the CI was heard counting them. The

Defendant also informed the CI that she would have more pills soon. The CI then left and was monitored by Detective Veltkamp traveling to a pre-arranged location.

5. Detective Veltkamp seized the pills from the CI and the CI and the CI's vehicle were again searched. During the post-buy interview the CI confirmed that the CI had just bought pills from the Defendant and again identified the Defendant from an MRDTF photo. The CI also confirmed that the CI had paid the Defendant with the funds provided.

6. The 30 pills were subsequently sent to the Montana Crime Lab for chemical analysis and confirmed by Chemist Annalivia Harris to be Vicodin (Acetaminophen/Hydrocodone), a dangerous drug.

7. On or about February 4, 2011, Detective Veltkamp met with MRDTF CI 100908 (herein after "CI") to conduct a controlled purchase of Tylenol with Codeine from the Defendant. Prior to the transaction, Detective Veltkamp applied for and received a search warrant from Judge Holly Brown, authorizing the use of a body-wire transmitter to record and monitor the controlled purchase. As of February 4, 2011, the CI had conducted twelve prior controlled purchases for MRDTF and also arranged the introduction of an undercover agent to two different subjects, from which eleven more controlled purchases were made. One of the CI's prior controlled purchases was with the Defendant. The CI had made arrangements

with the Defendant to purchase Tylenol with Codeine pills on February 4, 2011 and had identified the Defendant from an MRDTF photo. Also, the CI had reported to law enforcement in August of 2010 that the Defendant was engaged in selling pills in West Yellowstone, Montana.

8. Prior to the transaction, the CI met with Detective Veltkamp and MRDTF Detective Amos Ridenour and a search and pre-buy interview were conducted. The CI identified the Defendant from a MRDTF photo as the individual that the CI had arranged to purchases pills from. The CI was fitted with a body-wire transmitter and provided with fund to purchase the pills. The CI was then monitored traveling to 310 A Kennedy Street, Belgrade, Gallatin County, Montana, where the transaction was to occur. Upon arriving at that location, Detective Veltkamp noted that Heck Elementary School was located right across the street, less then 1,000 feet away.

9. The CI was heard and observed making contact with the Defendant. The CI was heard by Detective Veltkamp stating here's 90, referring to the \$90 and indicating that CI was giving that to the Defendant. The Defendant was heard stating here are 14, indicating that she was giving the CI 14 pills as agreed upon. The CI was then monitored traveling to a pre-arranged location to again meet with Detectives Veltkamp and Ridenour.

10. The CI gave Detective Veltkamp a pill bottle containing 14 tablets. The CI stated that the CI had purchased the pills from the Defendant and again confirmed the Defendant's identity from an MRDTF photo.

11. The 14 pills were subsequently sent to the Montana Crime Lab for chemical analysis. Chemist Annalivia Harris confirmed that the pills were Tylenol with Codeine (Acetaminophen/Codeine), a dangerous drug.

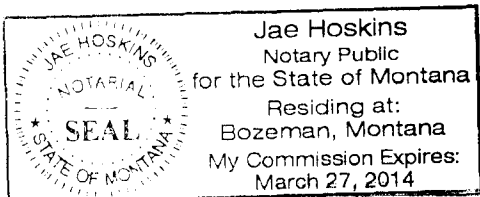
Based upon the foregoing facts, the undersigned moves this court to find probable cause exists to file an Information charging the above-named defendant with the offenses of: Count I: Criminal Distribution of Dangerous Drugs on or near school property, a Felony, in violation of §§ 45-9-101 and 45-9-109, MCA; and Count II: Criminal Distribution of Dangerous Drugs on or near school property, a Felony, in violation of §§ 45-9-101 and 45-9-109, MCA.

Dated this 19th day of May, 2011.

Erin R. Murphy
Erin R. Murphy
Deputy County Attorney

SUBSCRIBED and SWORN to before me this 19 day of May, 2011.

Jae Hoskins
NOTARY PUBLIC FOR THE STATE OF MONTANA
Residing at: Bozeman, Montana
My commission expires:



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FILED *jc*

MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT, GALLATIN COUNTY
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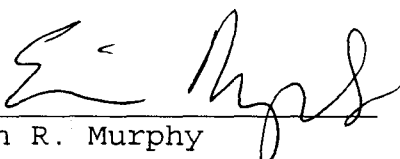
STATE OF MONTANA,)	Case No.: DC-11-1078
)	
Plaintiff,)	<u>INFORMATION</u>
)	
vs.)	
)	
CHRISTINA LYNN GILES,)	
)	
Defendant.)	

In open court comes Erin R. Murphy, a Deputy Gallatin County Attorney, having first obtained leave of this Court and by this Information accuses the defendant with committing the following crime(s) in Gallatin County, Montana:

Count I: Criminal Distribution of Dangerous Drugs on or Near School Property, a Felony, in violation of §§ 45-9-101 and 45-9-109, MCA, committed on or about January 7, 2011, when the defendant, Christina Lynn Giles, sold, exchanged, bartered, gave away or offered to sell, barter, exchange or give away Vicodin (Hydrocode/Acetaminophen), a dangerous drug, as defined in § 50-32-101, MCA, to a confidential informant within 1,000 feet of school property.

Count II: Criminal Distribution of Dangerous Drugs on or Near School Property, a Felony, in violation of §§ 45-9-101 and 45-9-

109, MCA, committed on or about February 4, 2011, when the defendant, Christina Lynn Giles, sold, exchanged, bartered, gave away or offered to sell, barter, exchange or give away Tylenol with Codeine (Acetaminophen/Codeine), a dangerous drug, as defined in § 50-32-101, MCA, to a confidential informant within 1,000 feet of school property.


Erin R. Murphy
Deputy County Attorney

Potential Penalty:

A person convicted of the offense of Criminal Distribution of Dangerous Drugs on or near school property, a Felony, shall be imprisoned in the state prison for term not less than three (3) year or more than life or be fined an amount not more than \$50,000, or both, for each count.

In addition, a person found to have possessed or stored dangerous drugs shall pay a fine equal to 35% of the market value of the drugs.

Witnesses:

MRDTF CI 100908

Detective Amos Ridenour, MRDTF, Gallatin County Sheriff's Department

Detective Chris Randle, MRDTF, Bozeman Police Department

Detective Jim Veltkamp, MRDTF, Bozeman Police Department

ICE Special Agent Rod Noe

Annalivia Harris, Chemist, Montana Crime Lab